

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Demetrick Antwana Yates

Docket No. 7:18-CR-29-1D

Petition for Action on Supervised Release

COMES NOW Cierra M. Wallace, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Demetrick Antwana Yates, who, upon an earlier plea of guilty to Conspiracy to Distribute a Quantity of Heroin, in violation of 21 U.S.C. §§ 846 and 841(b)(1)(C), and Possession of a Firearm by Felon, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2), was sentenced by the Honorable James C. Dever III, U.S. District Judge, on October 23, 2018, to the custody of the Bureau of Prisons for a term of 24 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

Demetrick Antwana Yates was released from custody on December 20, 2019, at which time the term of supervised release commenced.

On March 24, 2020, a Petition for Action on Supervised Release was filed advising the court that the defendant tested positive for cocaine. The court agreed with the probation officer's recommendation to continue supervision and allow the defendant to complete 24 hours of community service.

On August 13, 2020, a Petition for Action on Supervised Release was filed advising the court that the defendant tested positive for cocaine and marijuana. The court agreed to allow the defendant to adhere to a curfew with no location monitoring equipment for 90 days.

On August 13, 2021, a Violation Report was submitted to the court advising that the defendant tested positive for cocaine and marijuana. The defendant was reprimanded for his actions. The court agreed to continue supervision to allow him time to enroll in substance abuse treatment.

On October 22, 2021, a Petition for Action on Supervised Release was filed advising the court that the defendant tested positive for marijuana. The court agreed to allow the defendant to adhere to a curfew with location monitoring equipment for 90 days.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On October 25, 2021, the defendant submitted a positive urinalysis for cocaine and marijuana. The sample was confirmed positive by Abbott Laboratories on November 2, 2021. The defendant was reprimanded for his drug use and will be provided increased substance abuse treatment. It is recommended that the court impose an additional 30-day sanction of Location Monitoring, thus making it a total of 120 days location monitoring in an effort to encourage improved decision-making.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer for an additional period of 30 consecutive days. The defendant is restricted to his residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and

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abide by all program requirements, instructions and procedures provided by the supervising officer.
The defendant must pay all of the cost of the program.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,


I declare under penalty of perjury that the foregoing
is true and correct.

/s/ David W. Leake
David W. Leake
Supervising U.S. Probation Officer

/s/ Cierra M. Wallace
Cierra M. Wallace
U.S. Probation Officer
414 Chestnut Street, Suite 102
Wilmington, NC 28401-4290
Phone: 910-679-2034
Executed On: November 17, 2021

ORDER OF THE COURT

Considered and ordered this 18 day of November, 2021, and ordered filed and
made a part of the records in the above case.


James C. Dever III
U.S. District Judge